

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0312

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CODY WILLIAM MARBLE,

Defendant and Appellant.

FILED

MAY 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until June 16, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on May 17, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 17th day of May, 2010.

STEVE BULLOCK  
Montana Attorney General  
Justice Building  
P.O. Box 201401  
Helena, MT 59620-1401

By: 

MICHEAL S. WELLENSTEIN  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

Mr. Colin M. Stephens  
Smith & Stephens, P.C.  
315 West Pine  
Missoula, MT 59802

Mr. Fred Van Valkenberg  
Missoula County Attorney  
200 W. Broadway  
Missoula, MT 59802

DATED: May 17, 2010 Muskel W. Hunt